

Application No. 10/726,722
Response dated: May 5, 2006
Reply to Office Action of February 7, 2006

REMARKS

In response to the Office Action dated February 7, 2006, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-28 are pending in the present Application. Claims 1, 5, 7, 15, 19, 22 and 28 are been amended and Claims 15-18 are cancelled without prejudice, leaving Claims 1-14 and 28 for consideration upon entry of the present amendments and following remarks.

Support for the amendments to the claims can at least be found in the specification, the figures, and the claims as originally filed. More particularly, support for amended Claims 1 and 28 is at least found in originally filed Claims 5 and 7.

No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Claim Rejections Under 35 U.S.C. §102

Regarding Claims 1, 2, 4, 5 and 10

Claims 1, 2, 4, 5, and 10 have been rejected under 35 USC 102(b) as being allegedly anticipated by U. S. Patent No. 6,435,685 issued to Matsushita et al. (hereinafter "Matsushita"). Applicants respectfully traverse.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Amended Claim 1 recites, *inter alia*,

"a *light interceptive part being separate from the lamp reflector*, interposed between the light-emitting surface and the lamp reflector *and configured to as to be fitted on the edge of the lamp reflector*, and preventing the light from the lamp from entering through an edge at which the light-entering surface and the light-emitting surface are intersected." [Emphasis added.]

The Examiner concedes in the Response to Arguments section on Pages 9 and 10 of the Office Action that Matsushita discloses the claimed invention *except for a light interceptive part being separate from the lamp reflector* of Claim 1. Therefore, Matsushita fails to disclose all of

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the limitations of Claim 1, by the Examiner's own admission. Therefore, the §102 rejection of Claim 1 is improper and should be withdrawn.

Regarding Claims 5 and 7, the Examiner merely states in the Response to Arguments on page 10 that Matsushita discloses and illustrates in Fig. 7 a "C" shaped cross section of the J-shape curve portions 681,682. However, Claims 5 and 7 do not merely recite that the light interceptive has a "C"-shaped cross section, but also includes so as to be fitted on the edge of the lamp reflector. The limitation so as to be fitted on the edge of the lamp reflector is not addressed by the Examiner in the Office Action, either in the Response to Arguments at page 10 or in the §102(b) rejection details on Pages 2 and 3 of the Office Action.

In the Office Action, turn-ups 281,282 of Matsushita are considered the light interceptive part of the claimed invention. Matsushita discloses a bend or a J-curve portion may be formed in one or two distal end portions *of the reflector*. (Col. 3, lines 28-32.) Referring to Figure 4, both the distal end portions *of the reflector 28* have turn-ups 281,282. (Col. 8, lines 52 and 53.) That is, the turn-ups 281,282 are part of the reflector and not a separate element

For purposes of this response, the turn-ups 281,282 of Fig. 4 and the J-curve portions 681,682 of Fig. 7 may be considered as having "C"-shaped cross section, but clearly the turn-ups 281,282 and the J-curve portions 681,682 are not configured so as to be "fitted on the edge of the lamp reflector." The edge of the reflector, considered the ends of the turn-ups 281,282 and the J-curve portions 681,682 has nothing "fitted on" as disclosed by Matsushita. Additionally, the turn-ups 281,282 and the J-curve portions 681,682 are an extended part of the reflector 28 and 68, respectively, are not separate elements (as conceded by the Examiner as not being disclosed by Matsushita) such that the turn-ups 281,282 and the J-curve portions 681,682 necessarily cannot be "fitted on the edge" of themselves.

Therefore, Matsushita does not disclose a light interceptive part being separate from the lamp reflector and configured to as to be fitted on the edge of the lamp reflector of amended Claim 1.

Thus, Matsushita fails to teach all of the limitations of at least amended Claim 1. Accordingly, Matsushita does not anticipate amended Claim 1. Applicants respectfully contend that Claim 1 is not further rejected or objected and is therefore allowable. Claims 2, 4, 5 (as amended) and 10 variously depend from Claim 1, include all of the limitations of Claim 1 and

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are correspondingly allowable as depending upon allowable Claim 1. Reconsideration, entry of the present amendment and allowance of Claims 1, 2, 4, 5, and 10 are respectfully requested.

Regarding Claims 15-19

Claims 15-19 have been rejected under 35 USC 102(e) as being allegedly anticipated by U. S. Patent No. 6,874,902 issued to Yamashita et al. (hereinafter "Yamashita"). Applicants respectfully traverse. Claims 15-19 are hereinabove cancelled without prejudice and rejections are rendered moot for these claims.

Claim Rejections Under 35 U.S.C. §103

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Regarding Claims 3, 6 and 7

Claims 3, 6 and 7 have been rejected under 35 USC 103(a) as being allegedly unpatentable over Matsushita. Applicants respectfully traverse. Applicants note that Claim 28 is included in the introduction of these claims, but no rejection details are provided for Claim 28 in this section of the Office Action. As Claim 28 is rejected later in the Office Action on Page 8, Applicants consider the rejection of Claim 28 with Claims 3, 6 and 7 to be in error and therefore, discussion regarding Claim 28 is omitted here.

Claims 3, 6 and 7 variously depend from Claim 1 and therefore inherit all the limitations of amended Claim 1. As discussed above, Claim 1 is allowable over Matsushita. Claims 3, 6 and 7 are not further rejected or objected and are therefore correspondingly allowable as depending upon allowable Claim 1. Reconsideration and allowance of Claims 3, 6 and 7 are respectfully requested.

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Regarding Claims 8 and 9

Claims 8 and 9 have been rejected under 35 USC 103(a) as being allegedly unpatentable over Matsushita in view of U.S. Patent No. 6,443,583 issued to Ha or U.S. Patent No. 6,074,070 issued to Sasako. Applicants respectfully traverse.

Claims 8 and 9 variously depend from Claim 1 and therefore inherit all the limitations of amended Claim 1. As discussed above, Claim 1 is allowable over Matsushita.

Ha is relied upon to disclose a printed part on the surface of the reflector. Therefore, Ha does not disclose a light interceptive part being separate from the lamp reflector and configured to as to be fitted on the edge of the lamp reflector and does not cure the deficiencies of Matsushita. In fact, as stated in the Office Action at the bottom of page 4 to the top of page 5, Ha is indicated as teaching to the contrary. That is, Ha discloses printing on the surface of the reflector for ease of manufacture by *eliminating the need for a separate interceptive part*.

Sasako also does not disclose a light interceptive part being separate from the lamp reflector and configured to as to be fitted on the edge of the lamp reflector and does not cure the deficiencies of Matsushita.

Regarding Claims 11-14

Claims 11-14 have been rejected under 35 USC 103(a) as being allegedly unpatentable over Matsushita in view of Yamashita. Applicants respectfully traverse.

Claims 11-14 variously depend from Claim 1 and therefore inherit all the limitations of amended Claim 1. As discussed above, Claim 1 is allowable over Matsushita.

Yamashita is relied upon to disclose a light guide plate facing the reflector is formed of a plurality of prism teeth of the claimed invention. Therefore, Yamashita does not disclose a light interceptive part being separate from the lamp reflector and configured to as to be fitted on the edge of the lamp reflector and does not cure the deficiencies of Matsushita.

Regarding Claim 20

Claim 20 has been rejected under 35 USC 103(a) as being allegedly unpatentable over Yamashita. Applicants respectfully traverse. Claim 20 has been hereinabove cancelled and

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rejections are rendered moot for these claims.

Regarding Claim 28

Claim 28 has been rejected under 35 USC 103(a) as being allegedly unpatentable over U.S. Patent 6,502,947 to Matsumoto in view of Matsushita. Applicants respectfully traverse.

Amended Claim 28 recites, *inter alia*,

"a light interceptive part being separate from the lamp reflector, interposed between the light-emitting surface and the lamp reflector and configured to as to be fitted on the edge of the lamp reflector, and preventing the light from the lamp from entering through an edge at which the light-entering surface and the light-emitting surface are intersected." [Emphasis added.]

In the Office Action details, it is respectfully conceded that Matsumoto does not disclose a light interceptive part interposed between the light emitting surface and the lamp reflector. Therefore, Matsumoto necessarily does not disclose a light interceptive part being separate from the lamp reflector and configured to as to be fitted on the edge of the lamp reflector of amended Claim 28.

For all the reasons discussed above, Matsushita does not disclose all of the limitations of amended Claim 28, particularly, a light interceptive part being separate from the lamp reflector and configured to as to be fitted on the edge of the lamp reflector.

Since Matsushita, Ha, Sasako, Yamashita and Matsumoto, alone or in combination, do not teach or suggest all of the limitations of Claims 3, 6-9, 11-14 and 28, as discussed above, *prima facie* obviousness does not exist regarding Claims 3, 6-9, 11-14 and 28 with respect to Matsushita, Ha, Sasako, Yamashita and Matsumoto.

Additionally, since Matsushita, Ha, Sasako, Yamashita and Matsumoto fail to teach or suggest all of the limitations of Claims 3, 6-9, 11-14 and 28, clearly, one of ordinary skill at the time of Applicants' invention would not have neither a motivation to modify the reference, nor a reasonable likelihood of success in forming the claimed invention by the Examiner's suggestion of modifying the reference. Thus, here again, *prima facie* obviousness does not exist. *Id.*

Thus, the requirements of *prime facie* obviousness do not exist regarding remaining Claims 3, 6-9, 11-14 and 28 with respect to Matsushita, Ha, Sasako, Yamashita and Matsumoto. Applicants respectfully submit that Claims 3, 6-9, 11-14 and 28 are not further rejected or objected to and are

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thus allowable. Reconsideration and allowance of Claims 3, 6-9, 11-14 and 28 is respectfully requested.

Allowable Subject Matter

Applicants also gratefully acknowledge the Examiner's noting the allowable subject matter in Claims 21-27. However, Applicants hereinabove cancel Claims 21-27 without prejudice.

Conclusion

All of the objections and rejections are herein overcome. In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. No new matter is added by way of the present Amendments and Remarks, as support is found throughout the original filed specification, claims and drawings. Prompt issuance of Notice of Allowance is respectfully requested.

The Examiner is invited to contact Applicants' attorney at the below listed phone number regarding this response or otherwise concerning the present application.

Applicants hereby petition for any necessary extension of time required under 37 C.F.R. 1.136(a) or 1.136(b) which may be required for entry and consideration of the present Reply.

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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